

# DECISION



THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D.C. 20548

FILE: B-220874 DATE: October 31, 1985  
MATTER OF: Garrison Construction Co., Inc.

## DIGEST:

1. Protest of a contract award to a foreign contractor to perform services within the United States is dismissed since the award violated no federal law or regulation.
2. The General Accounting Office will not consider an allegation that implies alien workers will be illegally employed in the United States to perform a government contract since this is a matter under the jurisdiction of the Department of Justice, Immigration and Naturalization Service, not the GAO.

Garrison Construction Co., Inc. protests the award of a contract by the Department of the Army to provide services for a post-overhaul check of a floating power barge to Chinaseaco Engineers and Developers, Ltd., Manila, Philippines, under request for proposals (RFP) No. DACW17-85-R-0014. Garrison contends that Chinaseaco is a foreign contractor and might employ foreign workers on that part of the contract to be performed in the United States.

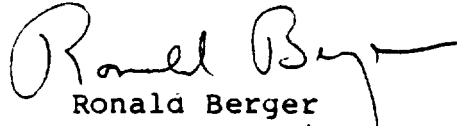
We dismiss the protest.

We are not aware of any federal law or regulation that prevents a foreign firm from competing for government service contracts. The government's policy with regard to foreign bidders and offerors is reflected in the implementing regulations of the Buy American Act, 41 U.S.C. §§ 10(a) and (b) (1982), which merely seek to equalize the competitive advantage that a foreign firm might have for supply or construction contracts. Dawson Construction Co., Inc., B-214070, Feb. 8, 1984, 84-1 CPD ¶ 160.

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To the extent the protester is complaining that alien workers may be employed illegally in the United States in the performance of this contract, we point out that this is a matter under the jurisdiction of the Department of Justice, Immigration and Naturalization Service, not the General Accounting Office.

The protest is dismissed.

  
Ronald Berger  
Deputy Associate  
General Counsel